UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT KNOXVILLE

Petitioner,

v. 3:06-cv-333

UNITED STATES OF AMERICA,

Respondent.

JUDGMENT ORDER

In accordance with the accompanying Memorandum Opinion, the court **ORDERS** that this action is **DISMISSED WITH PREJUDICE** for failure to prosecute and to comply with the orders of the court. The court further **CERTIFIES** that any appeal from this action would not be taken in good faith and would be totally frivolous.

ENTER:

s/ Thomas W. Phillips

United States District Judge

ENTERED AS A JUDGMENT

s/ Patricia L. McNutt

CLERK OF COURT